

- 3 -

Amendments to the Drawings:

The attached four (4) sheets of drawings, which include Figures 1-3B, are provided to replace the original drawings sheets including Figures 1-3B.

Attachment: Four (4) replacement drawings sheets

- 10 -

REMARKS

In the Action of December 8, 2006, Examiner objected to informal Figures 1-3B under 37 CFR 1.121(d). Applicant respectfully submits new informal Figures 1-3B, which are noted with the designation "prior art". Applicant submits that the Figures are now compliant with 37 CFR 1.121(d), and requests that the objection be withdrawn.

Examiner additionally rejected claims 3-6 under 35 USC 112, second paragraph as being indefinite. Applicant herein amends claim 3 to replace "said traffic flows" with --said plurality of traffic flows-- to provide proper antecedent reference to claim 1, and thus traverses the rejections of claims 3-6 under 35 USC 112.

In the Action, the Examiner further rejected claims 1-11 under 35 USC 102(b) as being anticipated by European Publication No. 1 009 132 to Endo et al. ("Endo"). Applicant traverses the rejection as follows.

Endo is understood to describe simply a device with input interfaces having multiple queues connectable to multiple output interfaces arranged in a "one queue to one output interface" relationship. See for example, col. 6, lines 9-11 of Endo. The control functions of Endo creates a connection between a single queue and a single output interface and transmits cells of a packet to the output interface, while reserving the output interface for the duration of the transfer of cells (see for example col. 3, lines 15-21 and col. 6, lines 18-20). At each output interface, there is a single queue (col. 6, lines 20-21).

Meanwhile, Applicant's invention relates to a processing and transmitting segments of packet data from a plurality of traffic flows to an egress card. The segments are reassembled at reassembly queues in the egress card, where a destination address is associated with each re-assembly queue. Clearly, this arrangement is not the "one queue to one output" relationship taught by Endo.

This response provides claims 1-10, 12 and 13-23. Claim 11 is cancelled. Claim 1-7 are amended. Claims 12 and 13-23 are added. The claims as provided herein relate to such

123081-339665
McCarthy Tétrault LLP TDO-RED #8310705 v. 1

- 11 -

features of Applicant's invention as described above. For example, amended claim 7 defines a network element that includes an egress card that has a plurality of reassembly queues associated with a respective destination address of the packets, unlike the single queue/single output interface arrangement of Endo. This feature of Applicant's invention tends to provide advantages in allowing multiple priorities and destinations of data traffic to be processed by a single egress device.

This feature is also found in method claim 1. Since claims 2-6, 8-10 and 12 depend from claims 1 or 7, for at least the above reason, Applicant respectfully submits that Endo does not anticipate claims 1-10 and 12. Applicant submits that such claims are compliant with 35 USC 102(b).

Applicant herein adds new claims 13-23. Independent claims 13 and 20 each define the feature of having a plurality of packet-ordered streams transmitting cells simultaneously over the network element. Applicant notes that Endo reserves an output interface during cell transfer and is thus unable to provide simultaneous cell transfer over the Endo device (see for example col. 3, lines 15-21 and col. 7, lines 42-44). For at least this reason, Applicant submits that claims 13-23 are patentable over Endo.

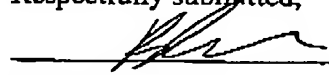
Exemplary support for amended claims 1-11 and new claims 13-23 can be found in Figures 4A and 4B, and in paragraphs [0054] to [0077] of the description.

No new subject matter is provided with the present amendments. In view of the above remarks, Applicant submits that the application is in condition for allowance. Applicant earnestly solicits that this application be permitted to proceed to allowance. The Examiner is invited to contact the undersigned by telephone to discuss this case further, if necessary.

Respectfully submitted,

April 5, 2006

Date


Robert H. Nakano
(Registration No. 46,498)
McCarthy Tétrault LLP (Customer No. 27,155)
Box 48, Suite 4700
Toronto Dominion Bank Tower
66 Wellington Street West
Toronto, Ontario M5K 1E6 Canada

123081-339665
McCarthy Tétrault LLP TDO-RED #8310705 v. 1